

1 Tina Wolfson, CSB No. 174806
2 *twolfson@ahdootwolfson.com*
3 Robert Ahdoot, CSB No. 172098
4 *rahdoot@ahdootwolfson.com*
5 Theodore W. Maya, CSB No. 223242
6 *tmaya@ahdootwolfson.com*
7 Bradley K. King, CSB No. 274399
8 *bking@ahdootwolfson.com*
9 **AHDOOT & WOLFSON, PC**
10 2600 West Olive Avenue, Suite 500
11 Burbank, CA 91505
12 Telephone: (310) 474-9111
13 Facsimile: (310) 474-8585

9 Cornelius P. Dukelow (*pro hac vice*)
10 *cdukelow@abingtonlaw.com*
11 **ABINGTON COLE + ELLERY**
12 320 South Boston Avenue, Suite 1130
13 Tulsa, Oklahoma 74103
14 Telephone & Facsimile: (918) 588-3400

13 Keith S. Dubanevich (*pro hac vice*)
14 *kdubanevich@stollberne.com*
15 **STOLL STOLL BERNE LOKTING &**
16 **SHLACHTER P.C.**
17 209 S.W. Oak Street, Suite 500
18 Portland, Oregon 97204
19 Telephone: (503) 227-1600
20 Facsimile: (503) 227-6840

18 *Class Counsel*

19 **UNITED STATES DISTRICT COURT**
20 **CENTRAL DISTRICT OF CALIFORNIA**
21 **SOUTHERN DIVISION**

22 PHILIP ALVAREZ, RANDALL
23 BETTISON, MARC KELLEHER, and
24 DARLENE VAUGH, individually and
on behalf of all others similarly situated,

25 Plaintiffs,

26 v.

27 SIRIUS XM RADIO INC.,

28 Defendant.

Case No. 2:18-cv-08605-JVS-SS

**DECLARATION OF PAUL
WRIGHT IN SUPPORT OF
MOTION FOR ATTORNEYS'
FEES AND EXPENSES AND FOR
SERVICE PAYMENTS**

1 I, Paul Wright, declare as follows:

2 1. I submit this declaration in support of Plaintiffs' Motion for Attorneys'
3 Fees and Expenses and for Service Payments in the matter of *Alvarez v. Sirius XM*
4 *Radio Inc.*, Case No. 2:18-cv-08605-JVS-SS (C.D. Cal.). The matters stated herein are
5 true of my own knowledge or, where indicated, I am informed and believe that they
6 are true. If called upon as a witness, I could and would competently testify as follows.

7 2. I am a competent adult over the age of eighteen years of age and a resident
8 of California.

9 3. I retained attorneys experienced in consumer class action litigation to
10 represent me in this matter. At the outset, I was informed of and understood my duties
11 as a class representative, and believe that I have fulfilled these duties.

12 4. I have actively participated in this litigation, including by discussing my
13 experience with purchasing a lifetime subscription from Sirius XM, searching for and
14 gathering relevant documents in my possession, and making myself available to my
15 attorneys to assist them with whatever they needed related to the lawsuit. I stayed
16 informed about major developments in this action and communicated with my
17 attorneys through phone calls and e-mails throughout the pendency of this action.

18 5. My attorneys have regularly sought my assistance in prosecuting this
19 lawsuit and negotiating a potential resolution of it.

20 6. I reviewed and approved the complaint filed on my behalf in *Wright v.*
21 *Sirius XM Radio, Inc.*, Case No. 16-01688 JVS before it was filed. I conducted a
22 diligent search for both hard copies and electronic copies of relevant documents, and
23 provided my attorneys with any necessary information they needed in preparing initial
24 disclosures, as well as in opposing Sirius XM's motion to compel arbitration in *Wright*,
25 and in appealing the Court's order granting Sirius XM's motion.

26 7. I reviewed the proposed Settlement Agreement, and other pleadings
27 prepared by my attorneys.
28

1 8. After reviewing the Settlement Agreement and its exhibits, my attorneys
2 and I went over the core terms of the Settlement and they answered all of my questions.
3 I conducted a final review of the Settlement Agreement, understood and fully agreed to
4 the terms of the proposed Settlement and later on signed it.

5 9. To the best of my recollection, the approximate time spent on these
6 activities was approximately 20 hours over the course of many months. I believe this
7 is a conservative estimate.

8 10. I approve and support the Settlement because I believe that it is fair,
9 reasonable, and in the best interests of the Class. I have no conflict with the Class and
10 pursued this litigation so that I would help others who similarly purchased a lifetime
11 subscription from Sirius XM.

12 11. The lifetime subscription I purchased from Sirius XM is associated with
13 a Device that was activated to receive Sirius XM's satellite radio service prior to June
14 5, 2020 and that continues to receive the Sirius XM satellite radio service. My lifetime
15 subscription is therefore an Active Lifetime Subscription as this term is defined in the
16 Settlement Agreement.

17 12. While I did not undertake any direct financial risks in pursuing this action,
18 I understood that, by stepping forward as a named plaintiff in this case, I was taking
19 certain risks, and that it was likely to generate some publicity and be associated with
20 my name in the future. I also was aware that stepping forward as a plaintiff in this
21 lawsuit may have a negative impact on certain aspects of my life. Despite these risks,
22 I decided to pursue this case because I felt it was more important to vindicate the rights
23 of hundreds of thousands of consumers who similarly purchased a lifetime subscription
24 from Sirius XM.

25 13. I believe that a \$5,000 Service Payment as permitted by the Settlement
26 Agreement and requested in Plaintiffs' Motion for Attorneys' Fees and Expenses and
27
28

1 for Service Payments is fair compensation for my work on this case in securing relief
2 for hundreds of thousands of consumers.

3
4 I declare under penalty of perjury under the laws of the United States that the
5 foregoing is true and correct. Executed this 14 th day of November 2020.

6
7 
8 Paul Wright (Nov 14, 2020 17:55 PST)
9 Paul Wright